



THE CITY OF NEW YORK
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November 10, 2015

BY ECF

The Honorable Peggy Kuo
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Lilya Pilipenko, et al. v. City of New York, et al.,
15 Civ. 6053 (NG)(PK)

Your Honor:

I am a Senior Counsel in the office of Zachary W. Carter, Corporation Counsel of the City of New York, representing defendant City of New York ("City") in the above-referenced matter in which plaintiff alleges, *inter alia*, that her constitutional rights were violated by defendants. Defendant City respectfully requests a 60 day extension of its time to answer or otherwise respond to this complaint from November 13, 2015, until January 13, 2016. Plaintiff consents to the proposed enlargement

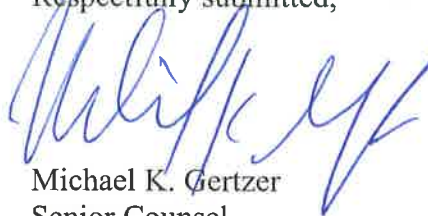
A sixty-day enlargement of time will permit this office to investigate the allegations of the complaint, in accordance with its obligations under Rule 11 of the Federal Rules of Civil Procedure, including identifying and locating the underlying documents and interviewing witnesses, if any.

In addition, plaintiff has named various John Doe defendants in his complaint. The proposed enlargement will also give this office time to identify these John Does and determine, pursuant to Section 50-k of the New York General Municipal law, and based upon a review of the facts of the case, whether we may represent the Haley and Cruzado. *See Mercurio v. The City of New York, et al.*, 758 F.2d 862, 864-65 (2d Cir. 1985) (quoting *Williams v. City of New York, et al.*, 64 N.Y.2d 800, 486 N.Y.S.2d 918 (1985) (decision whether to represent individual defendants is made by the Corporation Counsel as set forth in state law)).

No previous request for an extension has been made by defendants. Accordingly, we respectfully request that the time for defendant City to answer or otherwise respond to the complaint be extended to January 13, 2016.

Thank you for your consideration herein.

Respectfully submitted,



Michael K. Gertzer
Senior Counsel

cc: (all parties) Via ECF